

REMARKS

Claims 1-78 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-6, 9, 11-16, 18-26, 29, 31-36, 38-46, 49, 51-56, 58-64, 67, 69-74 and 76 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ambe et al. (U.S. Pat. No. 7,099,317) in view of Jain et al. (U.S. Pub. No. 2003/0079040). Claims 8, 10, 28, 30, 48, 50, 66, and 68 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ambe, in view of Jain and further in view of Nozaki et al. (U.S. Pat. No. 6,950,431). Claims 77 and 78 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ambe, in view of Jain and further in view of Brunner et al. (U.S. Pat. No. 5,982,775). These rejections are respectfully traversed.

With respect to Claim 1, Ambe and Jain do not show, teach or suggest at least a data-link layer switch controller that requests generation of an entry in a bridge table based on an IP multicast destination address and an IP source address.

As best understood, both Ambe and Jain include tables (e.g. multicast table in Ambe and source-group table for Jain) for storing bridge table information (i.e. MAC address data) that do

not include IP multicast destination addresses and IP source addresses. The Examiner, however, combines features of an IP multicast table of Ambe with features of a session table of Jain. Neither the IP multicast table of Ambe nor the session table of Jain is a bridge table, nor do they store bridge table information. Therefore, not only do the references not show, teach or suggest generation of an entry in a bridge table based on an IP multicast destination address and an IP source address, both references teach away from the combination by including separate tables for bridge information and IP multicast information.

It is improper to take teachings in the prior art out of context and give them meanings that they would not have to those skilled in the art. In re Wright, 9 USPQ.2d 1649 (Fed. Cir. 1989). It is impermissible to pick and choose from a reference only so much of it as will support a given position to the exclusion of other parts necessary to the full appreciation of what the reference fairly teaches to one skilled in the art. Bausch & Lomb, Inc. v. Barnes-Hind, Inc., 230 USPQ 416 (Fed. Cir. 1986). Here, the Examiner ignores the fact that Ambe and Jain, alone or in combination, do not include a bridge table that has IP multicast destination address and IP source address entries. The Examiner therefore selects only parts of Ambe and Jain that support his position while ignoring what Ambe and Jain

fairly teach. The Examiner is therefore improperly using hindsight to reconstruct Claim 1.

Therefore, Claim 1 is allowable for at least these reasons. Claims 21, 41 and 59 are allowable for at least similar reasons as Claim 1. Claims 2-6, 8-16, 18-20, 22-26, 28-36, 38-40, 42-46, 48-56, 58 60-64, 66-74 and 76-78 ultimately depend from Claims 1, 21, 41 and 59 and are allowable for at least similar reasons.

ALLOWABLE SUBJECT MATTER

Applicant wishes to thank the Examiner for the allowance of Claims 7, 17, 27, 37, 47, 57, 65 and 75.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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